

**FLATHEAD COUNTY PLANNING AND ZONING OFFICE
LAKESIDE NEIGHBORHOOD PLAN FPMA-09-01
AUGUST 31, 2010**

A report to the Flathead County Planning Board and Board of Commissioners regarding a request by the Lakeside Community Council to adopt the revised Lakeside Neighborhood Plan as an element of the Flathead County Growth Policy.

The Flathead County Planning Board will conduct a public hearing on the proposed Neighborhood Plan on September 15, 2010 at 6:00pm in the 2nd Floor Conference Room, 1035 1st Ave West, Kalispell. A recommendation from the Planning Board will be forwarded to the County Commissioners for their consideration. A copy of the Lakeside Neighborhood Plan is available for public inspection in the Flathead County Planning and Zoning Office, Earl Bennett Building, 1035 First Avenue West, in Kalispell.

I. PLAN ADOPTION PROCESS UPDATES

A. Land Use Advisory Committee/Council

The Lakeside Community Council held a meeting regarding the most current version of the revised Lakeside Neighborhood Plan (Version 27) on June 29, 2010. The Lakeside Community Council voted unanimously to forward the plan with a recommendation of approval to the Flathead County Planning Board and the Flathead County Commissioners.

B. Planning Board

The Flathead County Planning Board will hold a public hearing on the proposed neighborhood plan on September 15, 2010 at 6:00 pm and make a recommendation to the Flathead County Commissioners. This space is reserved for a summary of the Flathead County Planning Board's discussion and recommendation.

C. Commission

The Flathead County Commissioners will hold a public meeting on the proposed neighborhood plan on a date to be determined. The County Commissioners may choose to make this meeting a public hearing. This space is reserved for a summary of the Commission's discussion and decision.

II. GENERAL INFORMATION

A. Application Personnel

i. Applicant(s)

Lakeside Community Council
PO Box 157
Lakeside, MT 59922

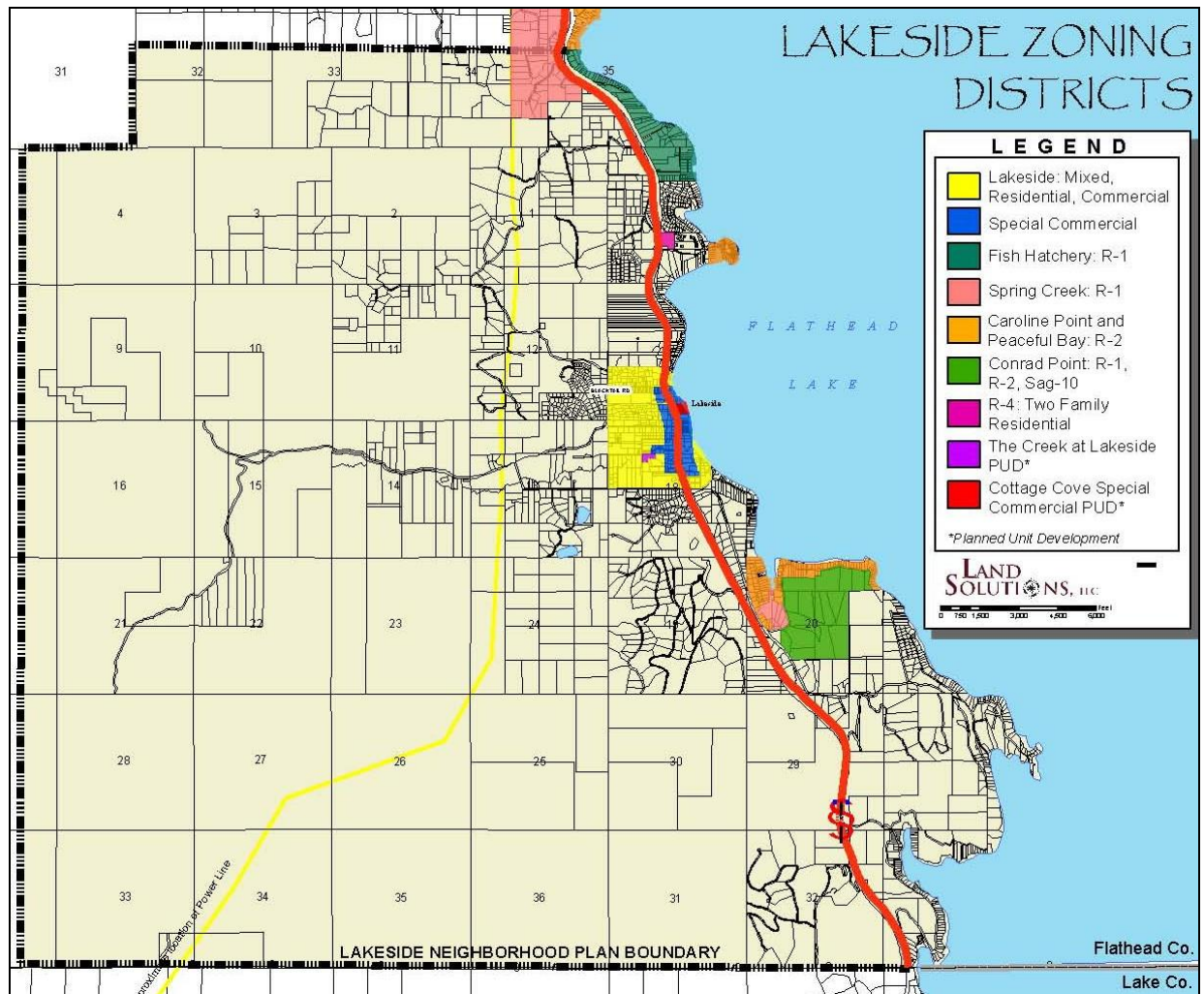
ii. Technical Assistance

Flathead County Planning and Zoning

B. Plan Area Boundaries

The planning boundaries established in Resolution 1068A (the resolution adopting the Lakeside Neighborhood Plan) have not been altered in this revision. The boundaries are roughly from the Lake County line to Spring Creek Road, and from the shore of Flathead Lake to approximately the USFS boundaries.

Map 1: Boundaries of the revised Lakeside Neighborhood Plan



C. Neighborhood Plan Community Characteristics

The Lakeside Neighborhood Plan was adopted by the Flathead County Commissioners in 1995 (Resolution #1068A, November 22, 1995). As described above, the boundaries of the planning area are roughly from the Lake County line to Spring Creek Road, and from the shore of Flathead Lake to approximately the USFS boundaries. The Lakeside Neighborhood Plan was developed locally by volunteers from Lakeside. The plan was written because the community was changing and there was a need to represent the community's desire for future growth. The Lakeside Community Council and the Lakeside Zoning District were adopted to implement the provisions of the plan.

Over the course of the next 13 years, the plan was not updated to reflect changing conditions. The planning area had experienced considerable growth. In 2007, Flathead County adopted a new Growth Policy, and neighborhood plans were considered an element of it. State law required all neighborhood plans be consistent with the Growth Policy (76-1-601(4)(a)). Due to the changes in the community and the adoption of the new Growth Policy, the Lakeside Neighborhood Plan was selected for revision.

The Lakeside planning area is approximately 24,060 acres. Approximately 6,880 acres is managed by the state or federal government and approximately 17,180 acres is privately owned. The landscape is characterized by hills and mountains to the west, and Flathead Lake to the east. Much of the area is undeveloped. The highest concentration of people is found near the Lakeside Town Center and along the Highway 93 corridor.

D. Authorization

The adoption of elements to the Flathead County Growth Policy is processed in accordance with Title 76, Chapter 1, Part 6 M.C.A. Furthermore, the adoption of neighborhood plans as elements of the Flathead County Growth Policy follows the process and procedures outlined in Chapter 10 of that document.

E. Background: History of Neighborhood Plan & Neighborhood Plan Update

i. History of Original Plan

The Lakeside Neighborhood Plan was adopted by the Flathead County Commissioners in 1995 (Resolution #1068A, November 22, 1995). The plan researched and reported various important considerations, describing existing conditions and identifying issues associated with each consideration. The plan established boundaries as set forth by a map attached to resolution 1068A. Topics discussed in the plan were:

- Land Use and Development Patterns, describing existing conditions and identifying issues in four (4) sub-areas:
 - 1) Business District of Lakeside
 - 2) Lakefront Development
 - 3) Highway Corridor
 - 4) Timbered Foothills back from Lake
- Lakeside Community Water Resources
- Lakeside County Sewer District
- Solid Waste / Green Boxes
- School District
- QRU and Fire Department
- Law Enforcement
- Roads & Highways
- Community Organizations

The plan considered 4 options for the community to organize: the Status Quo in which the community had no organized body, the creation of a Planning Advisory

Committee, the development of a community council, or incorporation. The plan recommended the Community Council option, which was later implemented when the Community Council was created by the County Commissioners (Resolution # 1068B, December 18, 1995).

ii. History of Update

The Lakeside Neighborhood Plan was originally adopted in 1995. The plan has not undergone updates since its original adoption despite significant changes in the community. When the Growth Policy was adopted in 2007, the state statutes that authorize a neighborhood plan required it to be consistent with the adopted growth policy. In September 2007, the Flathead County Planning Board directed the Flathead County Planning and Zoning Office to update the existing neighborhood plans. The Lakeside Community Council was advised by the Planning and Zoning Office that the Lakeside Plan should be updated. The Lakeside Community Council (Council) responded by forming the Lakeside Plan Committee (Committee) which would be responsible for creating the draft. The Committee's first meeting occurred on 11/20/2007.

Over the course of the next year, the Committee conducted a survey, held four workshops at the Lakeside Chapel, and one workshop at the Lakeside Fair. Following the survey and, workshops, the Committee began drafting the document, and finally finished a complete draft in April of 2009. Once the complete draft was finished, the Planning and Zoning Office mailed a notice out to all land owners in the planning area announcing the completed draft, how to obtain the draft and how to comment. The Committee took comment for approximately 60 days. Following the comment period, the Committee revised the completed draft based on the comment. Once finished with revising the draft, the Committee submitted it to the Council.

When the Council received the draft, they held an approximately 30 day comment period which included a public meeting at the Lakeside Chapel to take public comment. Following the comment period, the Council voted to submit the draft to the Planning Board for their considerations.

The Draft Lakeside Neighborhood Plan was submitted to the Flathead County Planning and Zoning Office on July 30, 2009. At that time a file named FMPA-09-02 was created. Pursuit to Part 4 of Chapter 10 of the Growth Policy, a Planning Board workshop was scheduled on October 7, 2009. The Planning Board made suggestions to the members of the Council and Committee that were present. Following the workshop, the Committee resumed meeting to work on revisions.

The Committee worked on revising the draft from October 2009 to January 2010. During this time period, the Committee also accepted public comment on the draft. The Committee revised the draft based on the Planning Board workshop and public comment received during this time period. On January 26, 2010, the Committee finished revising the draft. On February 23, 2010 at the Council meeting, the Council moved to forward the revised plan back to the Planning Board for a second workshop.

The Planning Board held a second workshop on June 16, 2010. Members of the Council, Committee and the public commented on the plan. The Planning Board made further recommendations. On June 29th, the Committee voted to make changes to the revised plan based on comments from the second Planning Board workshop. On July 14, 2010 the Planning Board scheduled a public hearing for the revised plan. On August 13, 2010, Flathead County Planning and Zoning sent a notice out to all property owners in the plan area of the Planning Board Public hearing with information on how to obtain the plan and how to comment. This comment period will end when the Planning Board closes the public hearing. Below is a timeline of important events in the development and adoption of the revised Lakeside Neighborhood Plan.

- September 12, 2007
 - Flathead County Planning Board moves to direct Flathead County Planning and Zoning staff to work on revising existing neighborhood plans
- November 2007
 - Lakeside Neighborhood Plan Committee has first meeting
- May 5, 2008
 - Workshop held at Lakeside Community Chapel to gather input, present survey results
- June 23, 2008
 - Workshop held at Lakeside Community Chapel to gather input, present updated survey results
- July 7, 2008
 - Workshop held at Lakeside Community Chapel to gather input for the plan revisions
- July 14, 2008
 - Workshop held at Lakeside Community Chapel to gather input for the plan revisions
- July 19, 2008
 - Workshop held at Lakeside Fair to gather input for the plan revision
- August 2008 to April 2009
 - Lakeside Plan Committee holds workshops to create a draft of the revised plan
- April 28, 2009
 - The Lakeside Plan Committee attends the Lakeside Community Council meeting to present the first complete draft of the plan. The Lakeside Community Council votes to have the Lakeside Plan Committee hold a public comment period on the draft
- May 5, 2009
 - Flathead County Planning and Zoning sends a mailing to every property owner in the Lakeside Planning area announcing the draft, how to obtain a copy, and how to comment. The list was generated by Flathead County GIS
- June 19, 2009
 - Lakeside Plan Committee public comment period ends, committee begins revising draft based upon comments received
- June 30, 2009

- Lakeside Community Council holds a meeting where the Lakeside Plan Committee presents public comments received and the revisions based on those comments and announces their own public comment period.
- July 14, 2009
 - Lakeside Community Council holds a meeting at the Lakeside Chapel for public comment on the draft plan
- July 21, 2009
 - Lakeside Community Council comment period ends.
- July 28, 2009
 - Lakeside Community Council holds a meeting and votes to submit the plan to the Flathead County Planning Board for consideration for adoption.
- July 30, 2009
 - The plan is submitted to the Flathead County Planning and Zoning Office
- October 7, 2009
 - Flathead County Planning Board holds a public workshop on the draft plan and recommends the Council make some changes
- October 2009 through January 2010
 - The Lakeside Neighborhood Plan Committee works on revising the draft based on the Planning Board workshops and other public comments
- January 25, 2010
 - Lakeside Plan Committee votes to finalize the draft, and sends the revised draft to the Lakeside Community Council
- February 23, 2010
 - Lakeside Community Council votes to send the revised draft back to the Planning Board for a second workshop
- June 16, 2010
 - The Flathead County Planning Board holds a workshop on the revised plan recommending some changes
- June 29, 2010
 - The Lakeside Community Council reviews the recommendations from the Planning Board and makes changes and moves to send the revised draft back to the Planning Board
- July 2, 2010
 - Version 27, the current version is released
- July 14, 2010
 - The Flathead County Planning Board schedules a public hearing date for the revised draft
- August 13, 2010
 - The Flathead County Planning and Zoning Office mails a letter to all property owners in the Lakeside Plan area notifying them of the hearing date, time and location, how to obtain a copy of the plan, and how to comment. The mailing list was created by Flathead County GIS.
- September 15, 2010
 - The Flathead County Planning Board will hold a public hearing on the revised draft

F. Community Support of Proposed Plan

The Lakeside Plan Committee and the Lakeside Community Council have been collecting petitions to gauge community support for the plan. According to a member of the Committee, the latest estimate as of August 25, 2010 is approximately 330 signatures. The petitions have not been submitted to this office. The Committee and the Council plan on submitting the petitions either at or prior to the public hearing.

G. Compliance With Public Notice Requirements

A letter notifying property owners of the public hearing was sent on August 13, 2010. This letter was sent as courtesy and not required by law. Legal notice of the Planning Board public hearing was published in the August 29, 2010 edition of the Daily Interlake.

H. Agency Referrals

Agency comments are not always sent for neighborhood plan revisions. Following the lead of the staff report for the Bigfork Neighborhood Plan, staff sent out a notice to the following agencies of the status of the plan, how to obtain a copy, and how to make a comment. A notice was sent to a standard list of agencies with notices also sent to Office of Emergency Services, Somers Fire District, Somers Elementary School District and the Lakeside Water and Sewer District because of the specific applicability of the plan to their district.

- Mike Meehan, Flathead County Sheriff
- Jim Chilton, Flathead County Solid Waste
- Dave Prunty, Flathead County Public Works
- Glen Gray, Flathead City-County Health Department
- Joe Russell, Flathead City-County Health Department
- Marcia Sheffels, Superintendent of Schools
- Lincoln Chute, Office of Emergency Services
- Somers, Fire District
- Somers Elementary School District
- Flathead High School District
- MT Fish, Wildlife, & Parks, Attn: John Vore
- Jed Fisher, Flathead County Weeds & Parks Department
- James Freyholtz, MDT
- Larry Van Rinsum, Flathead Conservation District
- Sara Wilkinson, Flathead County Address Coordinator
- Mike Wyrwas, USPS Billings
- Jamie Murray, BPA
- Fred Holmes, DNRC
- Dan Walls, MDT
- Marc Pitman, DNRC
- US Forest Service, Planning Staff Officer
- Terry Eccles, DNRC
- Jim Heim, Lakeside Water and Sewer

- Anne Moran, DNRC

III. COMMENTS RECEIVED

A. Public Comments

A letter notifying property owners of the public hearing was sent on August 13, 2010. As of August 31, 2010, the date of the completion of this staff report for the Flathead County Planning Board, 22 comments have been received. Any comments received after August 31, 2010 at 5:00 pm will be summarized verbally into the record at the public hearing held by the Flathead County Planning Board. Below is a brief summary of the comments received.

- Sarah McConnell
 - Supports the adoption of the plan
- Michael Barry
 - Supports the adoption of the plan
- John Ulrich
 - Supports the adoption of the plan
- Charles Sutfin
 - Supports the adoption of the plan
- Alan and Natalie Kornicks
 - Supports the adoption of the plan
- Neil Hanson
 - Wants language to protect “Grandfathered” uses
 - Supports the adoption of the plan
- Gerald Ireton
 - Does not support the adoption of the plan
- Muffie Thomson
 - Supports the adoption of the plan
- Rex Boller
 - Supports the adoption of the plan
- Will and Margaret Baird
 - Supports the adoption of the plan
- Jere Jobe
 - Supports the adoption of the plan
- Peggy and Bob Hedin
 - Supports the adoption of the plan
- Lona Santana
 - Supports the adoption of the plan
- Bud Evans
 - Does not support the adoption of the plan
- Douglas and Barbra Miller
 - Supports the adoption of the plan
- Margaret Miller
 - Supports the adoption of the plan
- Robert and Caroline Hermes
 - Supports the adoption of the plan

- Jennifer Rogge
 - Supports the adoption of the plan
- Trevor Shaefer
 - Supports the adoption of the plan
- Melinda Jobe
 - Supports the adoption of the plan
- Shirley Glennon
 - Supports the adoption of the plan
- Scott Williams
 - Supports the adoption of the plan

B. Agency Comments

As of August 31, 2010, the date of the completion of this staff report for the Flathead County Planning Board, one agency comments have been received. Any agency comments received after September 31, 2010 at 5:00 pm will be summarized verbally into the record at the public hearing held by the Flathead County Planning Board.

- Bonneville Power Administration
 - No objection to the approval of the plan

IV. EVALUATION OF PROPOSED NEIGHBORHOOD PLAN

A. Review of Neighborhood Plan Contents

According to Montana law (76-1-601(4)(a) M.C.A.), a Growth Policy may include one or more neighborhood plans. Neighborhood plans serve a smaller sub-area of the Flathead County Growth Policy jurisdiction and are addressed by Chapter 10 of that document. The elements a neighborhood plan may contain are outlined in Chapter 10, Part 1 of the Flathead County Growth Policy, as well as 76-1-601 M.C.A.

The extent to which the plan addresses the contents of an individual plan is at the sole discretion of the governing body. What follows is a review of the possible elements of a neighborhood plan per Chapter 10, Part 1 of the Flathead County Growth Policy and the extent to which the Lakeside Neighborhood Plan addresses each element.

i. Existing Characteristics

Chapter 5 of the plan focuses specifically on the existing conditions in the Lakeside Plan area. Topics covered are:

- Commerce
- Roads and Highways
- Parks, Lake, Recreation
- Emergency Services (fire, rescue)
- Water, Sewer, and Solid Waste
- Law Enforcement
- Schools
- Lakeside Community Council
- Natural Resources
- Housing

For each section of Chapter 5, the plan addresses the existing conditions as well as issues and opportunities, goals and policies, and implementation strategies.

Existing conditions are also discussed in Chapter 4; Demographics and Characteristics. The Chapter 4 uses data from the 2000 US Census bureau as well as responses from the Community Survey conducted in 2008 to draw observations on how the community has changed over the past years.

The existing land use of the plan area is discussed in Chapter 6. A part of Chapter 6 focuses especially on large land owners like the USFS. Included in Chapter 6 are issues and opportunities that are relevant to existing land use.

ii. Projected Trends

The plan estimates trends for housing and population. Examining a number of different sets of data, the plan makes the assumption the growth rate for Lakeside will be 3 to 4 %. However, the plan recognizes the economic uncertainty making an assumption about the growth rate difficult. The growth rate is then used to examine how many and possibly what types of housing will be necessary in the future, as well as making population projections.

iii. Community Goals and Policies

Each section in Chapter 5, as well as the chapter on land use (Chapter 6) contains goals and policies. The goals and policies are specific to the section in which they are placed in the plan, but can be tied to and reiterated in other parts of the plan. The goals and policies were based on the issues and opportunities listed in each section and are meant to help achieve the Community's vision. There are 20 goals in the plan, and 112 policies.

iv. Land Uses

The Land Use chapter of the plan ties the existing conditions, issues and opportunities, and goals and policies discussed in previous chapters to a land use vision for the future. This chapter examines existing land use, describes issues and opportunities and establishes goals and policies directly related to land use. One of the key features of this chapter is the Future Land Use Map.

The Future Land Use Map is a guide to be used when making determinations on where different types of growth may occur and how dense the growth may be throughout the community. It locates the Future Land Use Designations that identify use and intensity. The Future Land Use Map by itself is not regulatory, but if an unzoned area is to be zoned, the type and density of zoning implemented must be based on this map (pursuant to Section 76-2-203 M.C.A.).

The Future Land Use Map is tied to the Future Land Use Designations. The Future Land Use Designations identify desirable uses and maximum densities. The future land uses are:

- Town Center
- Lakefront Residential
- Suburban Residential

- Suburban Mixed
- Rural Residential
- Remote Forest
- Institutional

v. Population

The plan addresses population in Chapter 4 and Chapter 5. The plan uses 2 approaches to look at the population characteristics of the community. The first is through the 2000 Census. The second is from the 2008 Survey results. The 2000 census and the 2008 survey examine different characteristic of the population and then make some observations based upon the analysis. Chapter 5 uses housing data to create an estimate for the growth rate. Using that growth rate as an assumption, the plan estimates the population of Lakeside into the future.

vi. Housing Needs

The type and amount of housing to occur in Lakeside largely will remain a function of markets. To address this, the plan aims to provide for a range of potential housing types in the Future Land Use Designations, and ample space for opportunities of those housing types in the Future Land Use Map.

vii. Economic Conditions

There appears to be more commercial space in downtown Lakeside then there is demand with continued turnover of commercial tenants and vacant commercial space, but new commercial space is being added outside of downtown on Highway 93. The lack of demand was reflected in the survey, with many respondents saying they will travel to Kalispell or beyond for many services. However; the community has indicated they would like to see infrastructure improvements in downtown Lakeside including additional landscaping, improved parking, and pedestrian facilities to encourage commercial development in the Town Center.

viii. Local Services

The transportation network in Lakeside is characterized by the north-south corridor of Highway 93, and smaller east west collectors coming down from the hills. There is a lack of north-south connectivity outside of the Highway 93 corridor. The speed of travel on 93 has been a concern for the community, and some improvements have been made by MDT and the community; however, safety is still a major concern. The community, and county, has very little input on how MDT manages the use of Highway 93, and the plan has identified the primary method for the community and county to provide for safety is to influence the manner land is used along that important corridor.

Most emergency services that serve Lakeside are volunteered based. Money to operate, and volunteers to serve, often comes directly from the community. Identifying ways to raise awareness of the volunteer services is an important tool the community has identified to improve the service operation. Law enforcement in Lakeside is provided by a number of different agencies depending upon the

jurisdiction. The community recognizes the plan cannot make recommendations for how those agencies prioritize resources. The plan does recognize that actions by the community can help community members organize programs such as neighborhood watch.

ix. Public Facilities

The Lakeside County Water and Sewer District provides water and sewer services to portions of Lakeside. The district maintains a philosophy that new development must pay the cost of hooking into services. The plan recognizes the potential for septic systems to impact groundwater, surface waters, and Flathead Lake. Guiding growth towards areas with sewer and water services is encouraged along with coordination between the community and the Lakeside Water and Sewer District. The Future Land Use Designations establish appropriate densities and uses, some of which require public water and sewer. The Future Land Use Map locates where the future land uses are appropriate. The Future Land Use Map will, to some extent, guide where future expansions of public facilities will be needed.

x. Natural Resources

The Lakeside planning area is characterized by high country to the west, and Flathead Lake to the east. The planning area has lakes, streams and wetlands. Floodplain is present mainly along Flathead Lake, but can be found in other areas. Depth to groundwater varies greatly. The plan aims to mitigate impacts to identified wetlands and floodplains, as well as to protect streams and groundwater, protect views of Flathead Lake and the surrounding mountains by improving public participation in the development process through use of Planned Unit Developments, encourage new development to utilize sewer systems rather than septic systems, focus new development in areas with paved roads to limit pollution from dust and focus new development away from the more remote areas to protect wildlife habitat.

xi. Sand and Gravel Resources

The plan does acknowledge gravel resources exist within the planning area but does not identify where gravel resources are. The intent of the plan is to allow gravel extraction where appropriate through zoning.

xii. Maps

The plan contains 11 maps showing existing conditions covering various topics. The maps are used as visual aids to convey the existing conditions and for illustrative purposes to assist members of the community where certain characteristics may be found within the planning area. The plan also contains a Future Land Use Map that is used to guide where general uses and densities could occur as the area develops. The Future Land Use Map is a non-regulatory map but any regulations that are applied to the area must be based upon it per the Montana Code Annotated.

xiii. Coordination Statement

Chapter 9 is the coordination statement. The coordination statement in Chapter 9 refers to the coordination statement in the Flathead County Growth Policy.

xiv. Implementation Strategy

Implementation strategies are included in each section of Chapter 5, and for land uses in Chapter 6. The plan separates implementation strategies into 3 different categories:

1. Community Council Actions
2. Community Organization
3. Regulatory Recommendations

Community Council Actions are actions the Lakeside Community Council can take to implement the plan. Strategies the Community Council could employ to implement the plan include actions such as creating an email address to take public comments, communication with local emergency services and utilities, and self examination.

Community Organization is actions members of the community can voluntarily do to help implement the plan. Actions community members could do include supporting the volunteer fire department and quick response units or report violations of zoning to the Planning and Zoning Office.

Regulatory Recommendations are recommendations for changes to existing regulations and implementation of new regulations. The most significant recommendation made for new regulations is the implementation of zoning for the entire planning area.

xv. Monitoring Plan

Chapter 7 is the monitoring plan. Monitoring of the plan is recommended to be the responsibility of the council. The plan recommends the council annually publish the status and progress of the implementation strategies.

xvi. Amendment Procedures

Chapter 8 is the revision and amendment procedures. The plan separates revisions and amendments as different acts. Revisions are the responsibility of the Council. It is recommended the Council review the plan on a 5 year basis and determine if a revision needs to take place. Revisions can also be determined to necessary by the Flathead County Planning and Zoning Office, The Flathead County Planning Board, and the Flathead County Commissioners. The plan contains a procedure that should be followed.

The amendment process to the plan is triggered by private parties. Amendments to the plan may be to the text or to the maps. The plan contains procedures that should be followed for amendments.

The existing neighborhood plan (adopted in 1995) has procedure for amendments. Page 22 of the 1995 plan states that the amendment process is identical to the initial adoption process requiring local input, at least one public hearing before

the Flathead County Planning Board followed by the County Commissioners final decision. The plan has had local input, will have a planning board public hearing on September 15, 2010, and will be followed by the Commissioner's decision.

B. Review of Consistency and Compliance with Flathead County Growth Policy.

i. Consistency and Compliance with Goals and Policies

According to 76-1-601 (4)(a) a neighborhood plan must be made consistent with an adopted growth policy. The Flathead County Growth Policy is a very broad document that does not provide guidance that is specific to certain areas of the county. The goals and policies are applicable county wide.

The Implementation Plan found in the Flathead County Growth Policy Appendix C identifies how policies are to be implemented. The Implementation Plan separates the policies into separate categories by how they are to be implemented. The categories are:

Policy: A specific but non-regulatory statement that directly guides a community towards meeting an established goal regarding the promotion of public health, safety, welfare and efficiency in the process of community development. Growth-related policies are frequently directly implemented with regulatory mechanisms.

Action Item: A statement providing guidance for future planning efforts and requiring a follow-up action such as creation of a subsequent, more detailed plan or educational outreach effort. Implementation of an action item (i.e. creation of an additional plan) can result in detailed policies regarding a specific issue.

Neither: The *policy* category, as stated in the Flathead County Growth Policy, does not provide specific guidance for growth or direction for future planning efforts.

For the review for consistency with the Goals and Policies, staff will examine how the Lakeside Neighborhood Plan relates each policy that can be implemented through the use of neighborhood plans. Below is list of the policies and a brief discussion on each:

P.3.2 Evaluate land uses and trends in agricultural and timber lands, and present ideas through research and discuss tools that could be used to encourage suitable development.

The plan does not implement this policy; however, it recognizes that timber lands and agricultural lands are present within the plan area.

P.3.5 Identify reasonable densities for remote, rural development that do not strain the provision of services or create a public health or safety hazard.

The plan recognizes terrain limitations and transportation issues limiting the densities that could occur in the western portion of the planning area. The plan utilizes Future Land Use Designations to identify appropriate densities and uses, and the Future Land Use Map to identify locations for the land use designations.

P.4.2 Identify lands most suited to agriculture (appropriate soils, access to water, shape and size of parcels etc.).

Agricultural uses in the plan area are limited compared to other areas of the county, but they do exist. Land use types where agricultural uses are appropriate are identified in the Future Land Use Designations and the Future Land Use Map identifies the locations.

- P.4.3 Identify a desirable gross density for rural residential development that retains land values, preserves the agricultural character of the community and allows for efficient provision of government services (law enforcement, fire protection, transportation, etc.)*

The plan utilizes Future Land Use Designations to identify appropriate densities and uses throughout the plan area, and the Future Land Use Map to identify locations for the land use designations.

- P.4.5 Develop equitable and predictable impact-mitigation for converting agricultural lands to residential uses.*

Agriculture use in the plan area is limited compared to other areas of the county. The plan does not implement this policy.

- P.4.6 Develop proposals for community-based incentives for farmers and forest landowners to maintain farms/forest in order to share the cost of preserving the custom, culture, and character of agriculture in Flathead County*

The plan does not implement this policy; however, it recognizes that timber lands and agricultural lands are present within the plan area.

- P.5.1 Match requirements of industrial land uses (such as human resources, adequate water supply, suitable road network) and areas of Flathead County where those requirements can best be met.*

There are few industrial uses within the plan area. The plan does not encourage attracting industrial uses to the area, but does recognize there is existing industrial use and encourages limited small scale industrial uses.

- P.5.2 Promote industrial parks and centers that take advantage of infrastructure and minimize impacts to the environment or adjacent land uses.*

The plan does not encourage attracting industrial uses to the plan area. The plan does not implement this policy.

- P.5.5 Restrict industrial uses that cannot be mitigated near incompatible uses such as residential, schools, environmentally sensitive areas such as wetlands, floodplains, riparian areas, areas of shallow groundwater, etc.*

The plan does not encourage attracting industrial uses to the plan area. The plan does not implement this policy.

- P.5.3 Identify trends in industrial land uses and determine the amount of land needed in the future at a variety of growth rates. Utilize these figures when determining land use regulations.*

The plan does not encourage attracting industrial uses to the plan area. The plan does not implement this policy.

P.5.4 Identify “objectionable impacts” of industrial uses and determine desirable distance thresholds and buffers from other land uses.

The plan does not encourage attracting industrial uses to the plan area. The plan does not implement this policy.

P.6.1 Require internal, interconnected roads for commercial development and frontage roads where appropriate.

The interconnectedness of roads within the plan area is of major concern. The plan encourages development to take into account future connectivity and specifically identifies a need to provide at least one additional route of travel between Blacktail Road and Bierney Creek Road.

P.6.2 Restrict commercial development in unsafe, inaccessible, remote rural areas.

The plan identifies commercial development along the Highway 93 corridor outside of the Town Center as a major concern. The plan utilizes Future Land Use Designations to identify appropriate uses and the Future Land Use Map to identify locations. The plan focuses commercial development in the Town Center.

P.6.3 Provide ample commercial land designation to promote affordability.

The plan documents that the demand for commercial uses in the Town Center is lower than the supply of commercial space. The plan utilizes Future Land Use Designations to identify appropriate uses and the Future Land Use Map to identify locations. The plan focuses commercial development in the Town Center.

P.6.5 Conserve resources and minimize transportation demand by encouraging redevelopment and infill of existing commercial areas in the county.

The plan recommends commercial development be restricted along the Highway 93 corridor and concentrated within the Town Center where public facilities such as sewer and water, a developed transportation network off of the highway and lower speed limits exist.

P.7.1 Determine commercial development features that support the seven elements of the Flathead County vision detailed in Chapter 1: The Character of Flathead County.

The plan recommends avoiding commercial development along the Highway 93 corridor and concentrated it within the Town Center. The primary reason is safety along the Highway (Element 3.); but also important is protecting the views of Flathead Lake and the surrounding mountains that characterize the community (Element 1.) and promoting the rural identity of the community by avoiding sprawling commercial development (Element 4.).

P.7.3 Encourage small-scale, impact-mitigated and compatible commercial developments in accessible, developing rural areas with good access and away from urban areas.

The plan recommends commercial development be restricted along the Highway 93 corridor and concentrated within the Town Center. This strategy is

recommended because of safety issues along Highway 93. The plan identifies the Town Center as the most appropriate location for commercial uses.

P.7.4 Identify existing areas that are suitable for impact-mitigated commercial uses.

The plan recommends commercial development be restricted along the Highway 93 corridor and concentrated within the Town Center. This strategy is recommended because of safety issues along Highway 93. The plan identifies the Town Center as the most appropriate location for commercial uses.

P.7.5 Encourage commercial development that is visually and functionally desirable.

The plan recommends commercial development be restricted along the Highway 93 corridor and concentrated within the Town Center. Part of the reasoning behind limiting commercial development along the corridor is commercial development outside of the Town Center was deemed not consistent with the vision of the community, established in Chapter 2, because of the visual impact. Another major factor is the relationship between linear commercial development along the corridor and the existing terrain could create safety issues and is not functionally desirable.

P.7.6 Encourage mixed use developments that share infrastructure requirements such as parking, pedestrian facilities, etc. and reduce traffic by promoting live/work situations where appropriate in Flathead County.

The Town Center designation encourages mixed use commercial/residential development. The Town Center designation has been identified on the Future Land Use Map in the center of the community where there is public sewer and water and an existing road network.

P.8.2 Identify required criteria for various densities that support the seven elements of the public's vision outlined in Chapter 1.

The plan does not create a recommendation for required criteria for identifying various densities. The plan does not implement this policy.

P.8.3 Create maps that spatially represent the criteria identified in P.8.2.

The plan does not implement this policy.

P.9.1 Identify open spaces that serve a critical role in public and environmental health, safety and general welfare.

The plan does not designate the location of open spaces, but does takes steps to encourage open spaces through the use of clustering.

P.10.1 Discourage high density development within the 500-year floodplain.

The plan does not identify the 500 year floodplain.

P.10.4 Restrict development directly on lands with (30%) steep slopes.

The plan has a map of areas that may possibly have steep slopes. The map is intended for illustrative purposes and states that site specific analysis should be done to determine the actual degree of slopes.

P.10.6 Develop reasonable and fair criteria for identifying and preserving structures, artifacts and areas with cultural and historical significance to the residents of Flathead County. Such criteria shall not be used to prohibit development, but rather to encourage development that incorporates and protects these areas for future generations.

The plan does not implement this policy.

P.10.7 On lands that contain areas both suitable and unsuitable for development, encourage open space development design techniques to cluster dwellings away from hazardous and/or unsafe areas.

Clustering is a re-occurring theme in the policies of the plan. The primary objectives for clustering are: preserving open space, allowing flexibility for development in challenging terrain, and protecting wildlife. Clustering is discussing the Future Land Use Designations and the location for those designations is then mapped on the Future Land Use Map.

P.11.1 Identify critical gateway areas that provide lasting impressions of Flathead County to both residents and visitors.

The plan discusses the importance of views of the Flathead Lake from the Highway 93 corridor and how it relates to the character of the community. The plan recommends avoiding commercial uses along the highway outside of the Town Center to maintain the character of the corridor including view of the lake.

P.11.3 Determine road and recreational waterway corridors with scenic resources that are valued by both residents and visitors.

The plan does not implement this policy.

P.12.2 Identify areas of significant mineral resource deposits and develop accurate maps reflecting these areas.

The plan recognizes gravel resources exist within the plan area and relies on zoning to determine where extraction could be located. The Future Land Use Map would be the basis for the zoning and would determine where extraction could occur.

P.12.3 Create land use policies that segregate existing and future gravel extraction operations from incompatible land uses.

The plan recommends zoning based upon the Future Land Use Map to segregate extraction from incompatible land uses.

P.12.4 Develop policies to mitigate the impacts of mineral resource extraction. These may include road maintenance, dust abatement or vegetative buffers.

The plan does not implement this policy.

P.13.4 Encourage the development of an airport-appropriate industrial/business center to provide convenient access to Glacier International Airport and serve a growing economy.

The plan does not implement this policy.

P.14.1 A 1,320 foot buffer surrounding the landfill should be identified, and the buffer should be designated for only those land uses compatible with current and future landfill activities. Compatible use types such as industrial should be encouraged in this buffer.

The plan does not implement this policy.

P.16.3 Promote the development of affordable single and multi-family housing in areas of adequate service networks.

The plan recognizes markets will have a major effect on the housing cost in the area. Therefore, the Future Land Use Designations and Future Land Use Map attempt to provide ample land area for densities that could allow for the development of affordable single family and multi-family housing near the Town Center if sewer and water are available.

P.17.3 Encourage mobile home parks as a form of affordable homeownership in areas with access to public sewer and water.

The plan identifies the affordable nature of mobile homes. While the plan does not specifically encourage mobile home parks, it also does nothing to restrict them.

P.18.6 Flathead County should preserve and increase recreational access to public lands and waterways by procuring necessary land, easements, or rights of way.

The plan puts a high priority on public access to Flathead Lake and makes some recommendation on how the Community Council can become more active in finding money and locations for parks.

P.19.1 Encourage parks, planning, maintenance and development coordination with other local jurisdictions, state, and federal agencies.

The plan encourages the Community Council become more active in park planning.

P.21.1 Provide adequate land area designated for commercial and industrial use to promote affordability, creating entrepreneurialism and/or businesses relocation to Flathead County.

The plan recommends a more specific “Town Center” plan be developed. The intent of the “Town Center” is to improve the commercial opportunities in Lakeside by revisiting the zoning and examining the existing infrastructure among other things.

P.22.2 Promote business centers and industrial parks in areas served by sufficient infrastructure with consideration to proximity to population densities.

The Future Land Use Designations and the Future Land Use Map attempts to focus commercial and residential mixed uses in the Town Center, followed by higher densities supported by sewer and water in a ring around the Town Center. Furthermore; the plan recommends a more specific “Town Center” plan be developed. The intent of the “Town Center” is to improve the commercial

opportunities in Lakeside by revisiting the zoning and examining the existing infrastructure among other things.

- P.23.4 Areas in proximity to employment and retail centers should be recognized as more suitable for higher residential densities and mixed use development.*

The Future Land Use Designations and the Future Land Use Map attempts to focus commercial and residential mixed uses in the Town Center, followed by higher densities supported by sewer and water in a ring around the Town Center.

- P.23.5 To protect public safety and allow safe travel, restrict development in areas without adequate road improvements.*

Because of safety concerns along the Highway 93 corridor among other factors, the plan recommends commercial development is concentrated in the Town Center. The plan also recommends lower densities west of Highway 93 because of the limited transportation infrastructure.

- P.23.10 Restrict direct access from private properties onto the Montana State highways and require frontage roads where needed and internal vehicle circulation roads for all development outside of urban areas.*

Recognizing the plan cannot by itself restrict access along the Highway 93 corridor, the plan uses the Future Land Use Map to place appropriate densities and uses along the roadway in order to discourage high densities of direct accesses. Furthermore, the plan encourages the development of connectivity off of the highway to allow traffic circulation independent of the highway.

- P.24.1 Ensure that identified functional class, road easement width, and condition of existing transportation facilities are adequate*

The plan does not address road classification. The plan does not implement this policy.

- P.25.1 Encourage developments that provide functional alternative modes of travel such as bicycle and pedestrian paths.*

The plan encourages developments to identify pedestrian easements. The Future Land Use Designations encourage the development of sidewalks and bike paths to be built at the time of development in certain designations. The Future Land Use Map identifies where those land use designations are.

- P.28.1 Encourage high density development in areas that will be served by community sewer systems that treat to municipal standards.*

The Future Land Use Designations identify appropriate densities and uses including some higher densities when sewer and water is available. The Future Land Use Map identifies where the higher densities land use designations should be located.

- P.28.2 Areas not conducive to individual on-site sewage disposal systems because of flooding, ponding, seasonal high water tables, bedrock conditions, severe slope conditions and no access to a community sewage system should be discouraged from development.*

The plan identifies 100 year floodplains, wetlands, high water tables, and areas of steep slopes and encourages development to avoid those areas.

- P.28.8 Implement scientifically defensible protection zones for aquifers susceptible to potential contamination and limit land uses to low intensity development in these zones.*

The plan does not implement this policy.

- P.28.9 Land division resulting in residential densities greater than an average of one dwelling unit per five acres should be discouraged in areas of high groundwater of eight feet below ground surface or less which are not served by a public sewer district.*

The plan does not implement this policy.

- P.30.1 Areas of higher susceptibility to impacts from septic systems due to soils, depth to groundwater, proximity to sensitive surface waters, topography, and/or density of development should be identified.*

The Future Land Use Designations recommends appropriate densities and uses based on availability of services, facilities and maps them in the Future Land Use Map. The plan encourages development have public sewer and water along Flathead Lake due to the sensitivity of the water quality.

- P.31.4 Support multi-use of schools/parks and other community meeting places.*

The plan does not implement this policy.

- P.32.6 Encourage subdivisions to either mitigate the impacts of delayed ambulance response times or limit density of development in identified rural areas.*

The Future Land Use Designations identify appropriate uses and densities. The Future Land Use Map identifies the locations of the densities. The plan encourages higher densities in areas with public facilities.

- P.34.3 Promote land use patterns that permit logical, predictable and effective extension and integration of utilities.*

The Future Land Use Designations identify what services are needed for the recommended uses and densities, and the Future Land Use Map identifies the location. The plan concentrates higher densities in the Town Center where public facilities such as paved roads, sewer and water are already in place. The plan identifies the area immediately surrounding the Town Center for densities that would require paved roads, sewer and water allowing for the logical expansion of infrastructure. The plan does not encourage densities outside of the Town Center and immediate area that would require public sewer and water, but does not prohibit the extension of those services if environmental requirements or other factors require their extensions.

- P.36.5 Identify and encourage land development practices that do not contribute to increases in Total Maximum Daily Loads.*

The plan encourages the development of mechanisms to protect the water quality in Flathead Lake. The mechanisms have not been identified, but the policy is broad enough not to limit potential options including the development of a stormwater district or other land use practices.

P.36.6 Support non-point source pollution reduction within the Flathead Basin watershed.

The plan encourages the development of mechanisms to protect the water quality in Flathead Lake. The mechanisms have not been identified, but the policy is broad enough not to limit potential options including the development of a stormwater district or land use practices.

P.38.4 Consider density guidelines in the floodplain regulations.

The plan does not implement this policy.

P.39.1 Use scientific studies to identify locations of riparian areas and delineated wetlands.

The plan utilizes the National Wetland Inventory to identify wetlands within the plan area.

P.40.1 Use scientific studies to identify locations over shallow aquifers.

The plan was not able to identify locations of shallow aquifers based on scientific studies.

P.40.2 Promote development into areas with public facilities or appropriate depth to groundwater to preserve water quality and water supply.

The plan identifies through local knowledge that shallow groundwater can exist in the Town Center area. The Town Center area has public water and sewer. The plan discusses the possibility of creating a stormwater district that would help protect the shallow groundwater.

P.40.3 Encourage rural residential densities at an average of one dwelling unit per five acres and/or community wastewater treatment systems on sites where the groundwater is less than eight feet unless scientific evidence shows that a greater or lesser density is appropriate.

The Town Center is the one area specifically identified by the plan to have shallow groundwater. This area has public water and sewer. Additionally, the plan discusses the possibility of creating a stormwater district that would help protect the shallow groundwater.

P.40.4 Encourage rural low-intensity land uses in areas where the groundwater is less than eight feet unless scientific evidence shows that a higher or lower intensity of land use is appropriate.

The Town Center is the one area specifically identified by the plan to have shallow groundwater. This area has public water and sewer. Additionally, the plan discusses the possibility of creating a stormwater district that would help protect the shallow groundwater.

P.44.1 Develop expedited and simplified subdivision and development review processes for lands within an approved growth-policy-consistent neighborhood plan.

The plan does not implement this policy.

P.50.4 Consider relevant state and federal planning documents when reviewing development proposals that will impact federal or state lands.

The plan references the recreation plans of the US Forest Service in the Swan Range District's Island Unit and discuss how the plans would impact the Lakeside plan area.

Besides the Goals and Policies, there are other elements of the Growth Policy in which the plan should be consistent with. Chapter 9 is the implementation strategy for the Growth Policy. Because the plan is an implementation of the Growth Policy, it should be consistent with applicable parts of Chapter 9. Applicable parts of Chapter 9 identified by staff are:

On page 135 under the heading Designated Land Use Map, is a discussion on how the designated land use map is the foundation for zoning and neighborhood plans. It is meant to be consistent with the regulations and the individual plan documents. The map is to be changed as zoning changes, and as neighborhood plans are adopted. Part of the Lakeside Neighborhood Plan area is represented in the Designated Land Use map. The area is primarily along Flathead Lake and is designated as 1 dwelling unit per acre. The plan identifies the area along Flathead Lake as 1 to 2 dwelling units per acre depending upon availability of services.

On page 139, under Neighborhood Plans, the Growth Policy states that all Neighborhood Plans adopted as a part of the 1987 Master Plan are incorporated as addenda to the Growth Policy and should be reviewed for consistency with the provisions of Chapter 10 of the Growth Policy.

ii. Consistency and Compliance with Chapter 10- Neighborhood Plans

The following Goal and Policies are found in Chapter 10 and are specific to neighborhood plans:

G.45 Honor the integrity and purpose of existing neighborhood plans respecting the time and effort of the community involvement that has taken place.

P.45.1 Previously existing neighborhood plans are to remain in effect until revised by the Flathead County Board of Commissioners, are hereby incorporated into the Growth Policy as addenda to it and are deemed consistent with the existing Growth Policy.

The Lakeside Neighborhood Plan is listed as an existing neighborhood plan on page 158, in Table 10.1, of the Flathead County Growth Policy.

P.45.2 Existing neighborhood plans will be reviewed by the Flathead County Planning Board and Zoning Office to determine whether Flathead County and the landowners in the neighborhood plan area should update the neighborhood plan.

This review may be part of the statutorily required 5 year review or may occur sooner.

Existing neighborhood plans were reviewed and presented to the Flathead County Planning Board on September 12, 2007. The Lakeside Neighborhood Plan was identified as in need of review. At this meeting the Planning Board directed the Planning and Zoning Office to proceed with updating neighborhood plans.

P.45.3 If the Flathead County Planning and Zoning Office determines that a neighborhood plan should be updated, then the planning staff may, at the request of the County Commissioners or majority of the Planning Board initiate an amendment to the neighborhood plan.

Existing neighborhood plans were reviewed and presented to the Flathead County Planning Board on September 12, 2007. The Lakeside Neighborhood Plan was identified as in need of review. At this meeting the Planning Board directed the Planning and Zoning Office to proceed with updating neighborhood plans.

P.45.4 Simplified subdivision and development review processes, once developed by Flathead County for neighborhood plan areas, will apply to the areas included in the existing neighborhood plans.

The plan does not implement this policy.

Chapter 10 includes 5 parts regarding neighborhood plans:

Part 1: Neighborhood Plans in General

The elements of what neighborhood plan may contain is listed on page 147 of the growth policy. The Lakeside Neighborhood Plan contains each of these elements.

Part 2: The Neighborhood Planning Process

Part 2: is for new neighborhood plans. Part 2 directs existing neighborhood plans to Part 4. The Lakeside Neighborhood Plan was adopted in 1995, and is listed on page 158, in Table 10.1, of the Flathead County Growth Policy as an existing neighborhood plan.

Part 3: Land Use Categories

Part three states that new and existing neighborhood plans must accommodate and guide all appropriate types of growth. This part of chapter 10 suggests three steps to be followed for assigning land uses:

- A. Designate the general land type.
- B. Assign appropriate uses in each land type.
- C. Assign appropriate intensities to individual land uses.

The Lakeside Neighborhood Plan uses the three steps as a guide to develop the future land use designation found in Chapter 6.

Part 4: Land Use Categories

Part 4: identifies the existing neighborhood plans and provides steps that should be followed for their revisions.

1. Guidance from Planning Board and Commissioners:

On September 12, 2007, the Flathead County Planning Board directed the Planning and Zoning Office to work on revising the existing neighborhood plans.

2. Public Workshops:

The Lakeside Plan committee held numerous workshops on the revised draft. In addition, the Flathead County Planning Board held two workshops.

3. Comment on Draft:

The Lakeside Plan Committee held an approximately 60 day comment period on the first complete revised draft, the Lakeside Community Council held an approximately 30 day comment period following the Committee's comment period. The Flathead County Planning Board started a public comment period on August 13, 2010 that will close on September 15, 2010 when the Planning Board closes the Public Hearing.

4. Planning Board Review and Revision:

The Planning Board will hold a public hearing on the revised draft on September 15, 2010.

5. Final Public Review and Comment:

Following the Planning Board hearing, the County Commissioners will consider the final revised draft. If the Commissioners decide to adopt the plan, a public comment period will begin following the adoption of the resolution of intent to adopt. Following the comment period, the Commissioners may choose to adopt a final resolution to adopt the plan.

Part 5: Neighborhood Plan Implementation and Monitoring

The Draft Lakeside Neighborhood Plan contains implementation and monitoring elements. If adopted, these elements in conjunction with Chapter 10 of the Growth Policy guide implementation and monitoring of the plan.

V. RECOMMENDATION

The revised Lakeside Neighborhood Plan is consistent with the Goals and Policies and Chapter 10 of the Flathead County Growth Policy. Staff therefore recommends that the Flathead County Planning Board recommend, by resolution, approval of the Lakeside Neighborhood Plan to the Flathead County Commissioners.

Planner: DH